

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

HAROLD WOODS, ET AL.)	
)	
Plaintiff)	Case No. 04-40102
)	
v.)	Judge: F. Dennis Saylor, IV
)	
INTERNAL REVENUE SERVICE)	
)	
Defendants)	
)	

**ASSENTED-TO MOTION BY THE UNITED STATES FOR EXTENSION
OF 14 DAYS TO ANSWER OR OTHERWISE RESPOND**

The United States hereby requests the entry of an order enlarging, from November 5, 2004 up to and including November 19, 2004, the time in which the United States shall be permitted to serve an answer, a motion, or such other response as may be permitted by the Federal Rules of Civil Procedure.

Mr. Bertoldo, counsel for the United States, last requested an extension of 14 days so that the parties could determine whether the plaintiff would dismiss its complaint, with the understanding that the United States would bring suit to foreclose on the property at issue, so that jurisdictional defects that Mr. Bertoldo believes exist may be cured. Counsel for the plaintiffs needs additional time to meet with his clients to determine whether they will agree to the government's proposal. Mr. Bertoldo believes that an additional 14 days are necessary to determine the course of this litigation. Counsel for the plaintiffs has assented to this motion.

WHEREFORE, the United States prays that this Court enlarge the time period for the United States to serve an answer or other responsive pleading up to and including November 19, 2004.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

BARBARA HEALY SMITH
Assistant United States Attorney

/s/ Alejandro L. Bertoldo
ALEJANDRO L. BERTOLDO
Trial Attorney, Tax Division
U.S. Department of Justice
Post Office Box 55
Ben Franklin Station
Washington, D.C. 20044
Telephone: (202) 307-6019
Email: Alejandro.L.Bertoldo@usdoj.gov

CERTIFICATE OF SERVICE

It is hereby certified that the attached *United States' Motion for Extension of Time to Answer or Otherwise Respond* has been filed electronically, with service to be made by the Court's electronic filing system. In addition, the undersigned counsel has caused a copy to be deposited in the United States mail, postage prepaid, this November 5, 2004, addressed as follows:

Nathaniel D. Pitnof
250 Commercial Street
Suite 420
Worcester, MA 01608

/s/ Alejandro L. Bertoldo
ALEJANDRO L. BERTOLDO
Trial Attorney, Tax Division
U.S. Department of Justice
Post Office Box 55
Ben Franklin Station
Washington, D.C. 20044
Telephone: (202) 307-6019
Email: Alejandro.L.Bertoldo@usdoj.gov